

RESOLUTION NO. 20080131-038

WHEREAS, the City Council of the City of Austin has found that public necessity requires the City of Austin to acquire a certain real property interest for public purposes as set out below; and

WHEREAS, the City of Austin has attempted to purchase that needed real property interest but has been unable to agree with the owner on the fair market value thereof; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Attorney, or other authorized designee, is hereby authorized and directed to file, or cause to be filed, a suit in eminent domain on behalf of the City of Austin against the owner now having, or who may acquire, an interest in the real property interest needed by the City, described and located below, for the public purposes set out below, and to take whatever other action may be deemed appropriate to economically effect the needed acquisition.

The City Attorney, or other authorized designee, shall file eminent domain proceedings for:

Owner: Texas American Headquarters, LLC, a Texas limited liability partnership

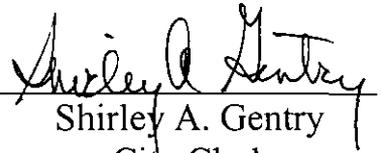
Project: Govalle 1 – South 2nd Street Reroute, Phase I, Wastewater Improvement Project, a portion of the Austin Clean Water Program

Intended Purpose: the temporary working space easement described in the attached Exhibit “A” is necessary to install permanent wastewater lines and appurtenances thereto in an adjacent wastewater line easement.

Location: 801 Barton Springs, Austin, Texas 78704

Property: Described in the attached and incorporated Exhibit A.

ADOPTED: January 31, 2008

ATTEST: 
Shirley A. Gentry
City Clerk



MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS

TEXAS AMERICAN
HEADQUARTERS, LLC
TO
CITY OF AUSTIN
(TEMPORARY WORKING
SPACE EASEMENT)
June 4, 2007

DESCRIPTION FOR PARCEL 5118.65TWSE

DESCRIPTION OF A 0.008 ACRE (334 SQUARE FOOT) TRACT OF LAND OUT OF LOT 1, BLOCK A, THE CRESCENT ON BOULDIN CREEK, A SUBDIVISION RECORDED IN DOCUMENT NO. 200500141, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID LOT 1, BLOCK A BEING THAT SAME TRACT DESCRIBED IN A SPECIAL WARRANTY DEED EXECUTED JUNE 8, 2006 TO TEXAS AMERICAN HEADQUARTERS, LLC, RECORDED IN DOCUMENT NO. 2006108995, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.008 ACRE (334 SQUARE FOOT) TRACT AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING for reference at a 1/2" iron pipe found at an interior corner of said Lot 1, Block A, at the most easterly southeast corner of a 1.6629 acre tract described in a Special Warranty Deed executed September 7, 1999 to The Realty Associates Fund V, L.P., recorded in Document No. 1999102268, Official Public Records of Travis County, Texas, and at the southeast corner of Lot A, Vernon's Addition, a subdivision recorded in Volume 68, Page 62, Plat Records of Travis County, Texas;

THENCE, N 69°23'24" W, with the most westerly north line of said Lot 1, the most easterly south line of said 1.6629 acre tract and the south line of said Lot A, at 5.00 feet, pass the centerline of a 15-foot wide wastewater easement recorded in Document No. 200500141, Official Public Records of Travis County, Texas, and continuing a total distance of 12.52 feet to a calculated point having Texas State Plane Coordinate (Central Zone, NAD83 (CORS), U.S. Feet, Combined Scale Factor 1.00010) values of N=10,067,274.84, E=3,111,203.50, on the west line of said 15-foot wide wastewater easement, for the northeast corner and the **POINT OF BEGINNING** of this tract;

THENCE, across said Lot 1, the following three (3) courses:

- 1) S 16°22'26" W, with the west line of said 15-foot wide wastewater easement, a distance of 72.65 feet to a calculated point;
- 2) S 29°48'00" W, continuing with the west line of said 15-foot wide wastewater easement, a distance of 0.46 feet to a calculated point for the south corner of this tract;

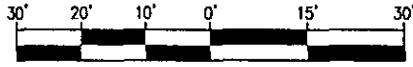
0.008 Acre (334 Square Feet)
Temporary Working Space Easement

Exhibit "A"
Page 1 of 3

5118.65TWSE

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

BARTON SPRINGS ROAD
(100' R.O.W.)



GRAPHIC SCALE
1"=30'

LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	S69°23'24"E	9.06'
L2	N69°23'24"W	12.52'
L3	N69°23'24"W	28.41'

THE REALTY ASSOCIATES FUND V, LP
(1.6629 AC.)
DOC. NO. 1999102268,
O.P.R.T.C.

LOT A
VERNON'S ADDITION
VOL. 68, PG 62, P.R.T.C.

CITY OF AUSTIN
18' WIDE ENCLOSED
STORM SEWER EASEMENT
VOL. 9739, PG. 982, R.P.R.T.C.

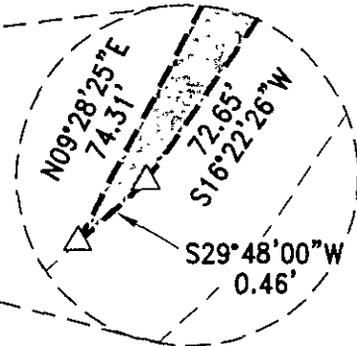
LOT 1, BLOCK A
THE CRESCENT ON BOULDIN CREEK
DOC. NO. 200500141, O.P.R.T.C.

TEXAN AMERICAN HEADQUARTERS, LLC,
DOC NO. 2006108995, O.P.R.T.C.

15' WASTEWATER EASEMENT
DOC. NO 200500141, O.P.R.T.C.

5118.65TWSE
0.008 ACRE
334 SQ. FT.

CITY OF AUSTIN
STORM SEWER ESMT
VOL 10274, PG 464,
R.P.R.T.C.



LEGEND	
⊙	1/2" IRON PIPE FOUND
△	CALCULATED POINT
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT-OF-WAY
—PL—	PROPERTY LINE
P.U.E.	PUBLIC UTILITY EASEMENT
DOC. NO.	DOCUMENT NUMBER
VOL., PG.	VOLUME, PAGE
P.R.T.C.	PLAT RECORDS OF TRAVIS COUNTY
R.P.R.T.C.	REAL PROPERTY RECORDS OF TRAVIS COUNTY
O.P.R.T.C.	OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY
()	RECORD INFORMATION

BEARING BASIS:

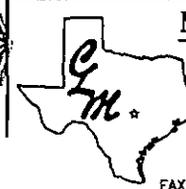
THE COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM (CENTRAL ZONE, NAD83(CORS), COMBINED SCALE FACTOR = 1.00010). THE COORDINATES WERE ESTABLISHED BY GPS STATIC OBSERVATION FROM REFERENCE STATION "AUSTIN RRP2" HAVING COORDINATE VALUES OF N=10,086,515.89, E=3,109,682.48 AND "H-20-3001" (CB11) HAVING COORDINATE VALUES OF N=10,061,108.04, E=3,109,304.63. ALL DISTANCES SHOWN ARE SURFACE DISTANCES.

DATE: 6-4-07
DRAWN BY: ALM
MAI JOB NO.: 290-22-07
REFERENCE: F.B. 410 & 472
J:\JOBS\BINKLEY-BARFIELD\S 2ND\290220\DWG\5118.65TWSE.dwg



Gregorio Lopez, Jr.
Gregorio Lopez, Jr. June 4, 2007
Registered Professional Land Surveyor
No. 5272 - State of Texas

Exhibit "A"
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MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS
★ ★ ★ ★ ★ ★ ★ ★
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AUSTIN, TEXAS 78745 PH. (512)442-7875
FAX (512)442-7876 EMAIL MACIASURVEY@EARTHLINK.NET